IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1136 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE D.A.MEHTA Sd/-

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

SITABEN D/O KURESHIBHAI DESAI W/O POPATJI SARDARJI THAKORE

Versus

STATE OF GUJARAT

Appearance:

MR BHUSHAN B OZA for Petitioners

MS. D.S.PANDIT, AGP. for Respondent No. 1, 2, 3, 4

CORAM : MR.JUSTICE D.A.MEHTA

Date of decision: 23/02/2001

ORAL JUDGEMENT

1. Rule. Ms.D.S.Pandit, learned Assistant Government Pleader appearing on behalf of the respondents waive service of rule. By consent of the learned Counsel appearing for the respective parties the matter is taken

up for final hearing today.

2. In this petition the petitioners have prayed for issuance of a writ to the respondents to provide police protection for the life and liberty of petitioner no.1 and members of her family. It appears from the facts on record that petitioner no.1 has married outside her caste which has created problems for her and her family members vis a vis her caste of birth. Due to certain incidents petitioner no.1 apprehends danger to her life as well as the life of her family members. It is in this context that the present petition has been filed before this Court.

3. After hearing both the sides we hereby direct respondent nos. 1 and 2, to ensure that petitioner no.1 and her family members are provided police protection so as to ensure safety of her life and the life of her family members. This direction is being issued in light of petitioner no.1 stating that she desires to reside in district Banaskantha. In so far as respondent nos. 3 and 4 are concerned no action is required to be taken at their end. Mr.Oza states that petitioner no.1 shall report at Deesa (Rural) Police Station on or before Wednesday i.e. 28/02/2001.

4. This petition is allowed to the aforesaid extent only. Rule made absolute accordingly. Direct service is permitted.

Sd/-
(D.A.Mehta, J)

m.m.bhatt